

REMARKS

Claims 1, 2, 4-7, 10-12 and 16-18 are rejected under 35 U.S.C 102(b) as being anticipated by Mueller et al. (USPN 4404241). Claims 3 are rejected under 35 U.S.C 102(b) as anticipated by or, in the alternative, under 35 U.S.C 103(a) as obvious over Mueller et al. Claims 9, 13 and 14 are rejected under 35 U.S.C 103(a) as being unpatentable over Mueller et al. Claims 8 and 15 are rejected under 35 U.S.C 103(a) as being unpatentable over Mueller et al. as applied to claims 1 and 10 above, and further in view of Inoue. Claim 9 is rejected under 35 U.S.C 103(a) as being unpatentable over Mueller et al. as applied to claim 1 above, and further in view of Mazurek et al.

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1. Rejection over claims 1, 2, 4-7, 10-12 and 16-18 under 35 U.S.C 102(b) :

Claims 1, 2, 4-7, 9, 10-12 and 16-18 are rejected under 35 U.S.C 102(b) as being anticipated by Mueller et al. substantially as set forth in Paper No. 6, paragraph 13.

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Response:

Claims 1 and 10 are amended by particularly pointing out the feature of the present invention, which has been discussed with the Examiner in the telephone interview dated 08/13/2002. The newly added portions in the amended claims 1 and 10 are disclosed on page 8, line 31 to page 11, line 8 of the present application. No new matter is introduced.

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To show the major differences/non-obviousness, the

amended claims 1 and 10 are repeated below:

"1. (Twice amended) A composite film comprising:
a polymer composite layer having two sides with a
5 plurality of tiny gaps which are pseudo-closed
for air permeation initially, the size of the
tiny gaps being varied according to a pressure
difference between the two sides of the polymer
composite layer; and
10 a nonstick sealing layer attached to one side of
the polymer composite layer for filling the gaps
to prevent air permeation;
wherein the sealing layer gradually decreases its
sealing ability when heated by hot air but gradually
15 reseals the gaps again when cooled.

10. (Twice amended) A composite film comprising a first
layer, and a second layer laminated on the first layer,
the composite film comprising a top face on the first
20 layer and a bottom face on the second layer, the composite
film being perforated by virtue of an impression process,
thereby forming a plurality of tiny gaps in the composite
film which are pseudo-closed for air permeation
initially, the size of the tiny gaps enlarging gradually
25 when an external pressure is applied on the composite
film and shrinking again when the external pressure
is removed."

In the present invention, the composite film
30 comprises a main substrate with a plurality of tiny
gaps formed by an impression process and an additional
sealing layer, which is optional, coated thereon. The

mechanism of permeability control is based on the openings of the tiny gaps, which are varied according to the pressure difference applied on the composite film. The additional sealing layer is used to assist
5 in sealing the gaps in advance.

As said in the specification and the previous office action, the polymer composite layer, which is the main substrate, is permanently damaged after the impression
10 process. However, due to the characteristic of the impression process (no weight lose during the impression process), the elasticity of the polymer composite layer will make the openings of the tiny gaps closed or approximately closed, which is so called
15 pseudo-closed. Although the openings of the tiny gaps are amplified for illustration in Fig.2A-C, 3 and 4, however, the appearance of the polymer composite layer almost remains the same after the tiny gaps are formed in fact. It is important that the openings of the tiny
20 gaps in the present invention are enlarged gradually when an external pressure is applied on the composite film and shrunk when the external pressure is removed.

Thus, when a packaging bag formed by the composite
25 film of the present invention is heated, the air pressure inside the packaging bag will increase and make the tiny gaps enlarge gradually to form an open channel for air permeation. Therefore, a self-venting function is provided and the pressure inside the bag can be
30 regulated. Furthermore, it is important that the packaging bag can be used or heated more than once because the openings of the tiny gaps can be sealed

again when cool or when the external pressure is removed.

Regarding Mueller's invention, a microwave package composed of a main substrate with apertures and a hot melt material covered thereon is disclosed. However, the apertures formed in Mueller's invention has a diameter in a range of 1/4 to 1 inch as shown in Col. 5 lines 5-8. Although the Examiner mentioned that the prior art is not limited to the scope of their working examples, it is still obviously that the main substrate in Mueller's disclosure can not provide a function of adjusting permeability. In fact, the permeation control of the microwave package according to Mueller's disclosure depends on the hot melt material which seals the apertures to prevent air permeation initially. When the microwave package is heated, the hot melt material is melt and the apertures are then exposed for venting. However, after the microwave package cools down, the hot melt material can not move back to the original position and the apertures will remain exposed. In another words, the microwave package according to Mueller's disclosure can not be reused after heated once.

From the aforementioned reasons, the Applicant believes that the amended claims 1 and 10 of the present application shows difference/non-obviousness since there is a major difference between the present application and the prior art references. Reconsideration of the amended claims 1 and 10 is politely requested.

Claims 2, 4-7, 11-12 and 16-18 are dependent on the amended claims 1 and 10 and should be allowed if the amended claims 1 and 10 are allowed. Reconsideration of claims 2, 4-7, 11-12 and 16-18 is hereby requested.

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2. Rejection over claims 3 under 35 U.S.C 102(b) or 103(a) :

Claims 3 are rejected under 35 U.S.C 102(b) as anticipated by or, in the alternative, under 35 U.S.C 103(a) as obvious over Mueller et al. substantially as set forth in Paper No.6, paragraph 14.

Response:

As aforementioned, the Applicant believes that the independent claim 1 of the present application shows difference from the Mueller's invention. Claims 3 is dependent on the amended claim 1 and should be allowed if the amended claim 1 is allowed. Reconsideration of claims 3 is hereby requested.

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3. Rejection over claims 9, 13 and 14 under 35 U.S.C 103(a) :

Claims 9, 13 and 14 are rejected under 35 U.S.C 103(a) as being unpatentable over Mueller et al. substantially as set forth in Paper No.6, paragraph 17.

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Response:

Regarding the Tanimura's invention, only a method for producing synthetic paper by using a list of common synthetic fibers is disclosed. As a result, the Applicant believes that the independent claims 1 and 10 of the present application show difference and

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non-obviousness from the combination of the Mueller's invention and the Tanimura's invention. Claims 9, 13 and 14 are dependent on the amended claims 1 and 10 and should be allowed if the amended claims 1 and 10 are allowed. Reconsideration of claims 9, 13 and 14 is hereby requested.

4. Rejection over claims 8 and 15 under 35 U.S.C 103(a) :

Claims 8 and 15 are rejected under 35 U.S.C 103(a) as being unpatentable over Mueller et al. as applied to claims 1 and 10 above, and further in view of Inoue substantially as set forth in Paper No.6, paragraph 16.

15 Response:

Claims 8 and 15 are dependent on the amended claims 1 and 10 and should be allowed if the amended claims 1 and 10 are allowed. Reconsideration of claims 8 and 15 is hereby requested.

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5. Rejection over claim 9 under 35 U.S.C 103(a) :

Claim 9 is rejected under 35 U.S.C 103(a) as being unpatentable over Mueller et al. as applied to claim 1 above, and further in view of Mazurek et al. substantially as set forth in Paper No.6, paragraph 17.

Response:

Claim 9 is dependent on the amended claim 1 and should be allowed if the amended claim 1 is allowed. Reconsideration of claim 9 is hereby requested.

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6. Introduction of the new claim 19:

The new claim 19 is based the specification of page 8, line 31 to page 11, line 8 of the present application. No new matter is introduced. The new claim 19 discloses
5 a composite film capable of being reused more than once, which is air permeable when an external pressure is applied thereon and becomes air impermeable again when the external pressure is removed. Since the microwave package taught by Mueller can not be reused after heated
10 once, the applicant believes that claim 19 of the present invention is absolutely different from Mueller's disclosure. Allowance of the new claim 19 is hereby requested.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

1. (Twice amended) A composite film comprising:
5 a polymer composite layer having two sides with a plurality of tiny gaps which are pseudo-closed for air permeation initially, the size of the tiny gaps being varied according to a pressure difference between the two sides of the polymer
10 composite layer; and
a nonstick sealing layer attached to one side of the polymer composite layer for filling the gaps to prevent air permeation;
wherein [when heated by hot air, the heat of the
15 hot air will degrade the sealing ability of the sealing layer, or open the pseudo-closed tiny gaps, and the hot air can easily permeate through the sealed gaps of the polymer composite layer when the air pressure exerted by the hot air on the first side of the composite
20 film is greater than the air pressure on the other side of the composite film; on the other hand, when the heating source is removed, the temperature of the composite film decreases and the sealing ability of the sealing layer is restored] the sealing layer gradually decreases its sealing ability when heated by hot air
25 but gradually reseals the gaps again when cool.

10. (Twice amended) A composite film comprising a first layer, and a second layer laminated on the first layer,
30 the composite film comprising a top face on the first layer and a bottom face on the second layer, the composite film being perforated by virtue of an impression process,

thereby forming a plurality of tiny gaps in the composite film which are pseudo-closed for air permeation initially, the size of the tiny gaps [being varied according to a pressure difference between the two sides of the composite layer] enlarging gradually when an external pressure is applied on the composite film and shrinking again when the external pressure is removed.

19. (New) A composite film comprising:
10 a polymer composite layer having two sides with a plurality of pseudo-closed tiny gaps for air permeation; and
a nonstick sealing layer attached to one side of the polymer composite layer for filling the gaps
15 to prevent air permeation;
wherein the composite film is air permeable when an external pressure is applied thereon and becomes air impermeable again when the external pressure is removed.

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Sincerely yours,

25 Winston Hsu

Date: 9/26/2002

Winston Hsu, Patent Agent No. 41,526

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Interview Summary



AS-14

Application No.

09/584,701

Applicant(s)

LIN, IRENE

Examiner

Leanna Roche

Art Unit

1771

All participants (applicant, applicant's representative, PTO personnel):

(1) Leanna Roche.

(3)_____.

(2) Winston Hsu.

(4)_____.

Date of Interview: 13 August 2002.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: 1-18.

Identification of prior art discussed: Mueller et al. (USPN 4404241).

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

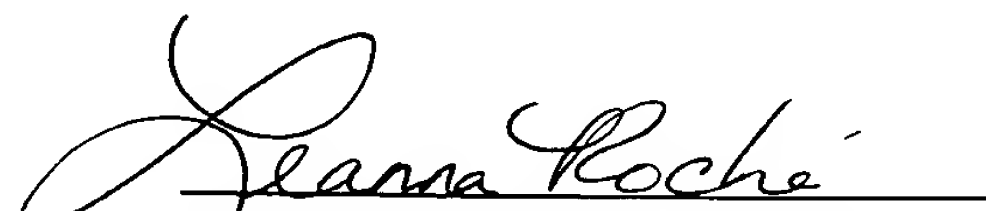
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check the appropriate box at the bottom of the Form which informs the applicant that the submission of a separate record of the substance of the interview as a supplement to the Form is not required.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant discussed possible amendments for application after final rejection. The examiner suggested filing a continuation and noted the functional language in claim 1, "when the heating source is removed, the temperature of the composite film decreases and the sealing ability of the sealing layer is restored" was not examined as a structural limitation. The examiner suggested an amendment changing the functional limitation to a structural limitation, such as "a sealing layer which reseals the gaps when cool."